United Nations S/2005/574

Security Council

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Letter dated 9 September 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the attached letter which I received from the Minister for Foreign Affairs of the Islamic Republic of Afghanistan dated 1 September 2005.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

05-48645 (E) 120905

Annex

Letter dated 1 September 2005 from the Minister for Foreign Affairs of Afghanistan addressed to the Secretary-General

On behalf of the Government of the Islamic Republic of Afghanistan, I would like to take this opportunity to express my appreciation for the role played by the International Security Assistance Force (ISAF), authorized under United Nations Security Council resolution 1386 (2001) of 20 December 2001 and subsequent resolutions, and the wider contribution that the United Nations is making towards security and stability in Afghanistan.

Considerable progress has been made in improving security throughout Afghanistan. The presidential elections were successfully conducted in 2004; and the parliamentary and provincial elections are due to be held on 18 September 2005. But the security situation in various parts of the country remains difficult and continues to act as an impediment to further progress in reconstruction and development.

The International Security Assistance Force led by NATO since August 2003, has been crucial in improving security in Kabul, and through its programme of phased expansion, in the north and west of the country. It is also playing a key role in helping to provide security for the forthcoming parliamentary and provincial elections. We look forward to ISAF's future expansion to the south and east, and we welcome the prospect of ISAF continuing to operate in Afghanistan until our Security Forces are fully able to provide security to our nation. The Government of Afghanistan is very grateful to all those nations contributing resources to ISAF and to those nations that have assumed a leadership role.

I hope the Security Council will continue to reflect in its resolutions the paramount importance of fulfilling the ISAF mandate.

(*Signed*) Abdullah **Abdullah**
Minister for Foreign Affairs
Islamic Republic of Afghanistan

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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed of and to submit a report on developments in Guinea-Bissau as well as the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, in paragraph 11 of its resolution 1580 (2004), the Council requested me to submit a written report to it every three months.

2. Since the issuance of my last report, dated 10 June 2005 (S/2005/380), Assistant Secretary-General Tuliameni Kalomoh briefed the members of the Council on 12 August 2005 on developments in Guinea-Bissau, including with regard to the first round of presidential elections on 19 June 2005 and, especially, the second round of elections, held on 24 July 2005.

3. The present report focuses on developments since the August briefing. It also contains, as requested by the Council in its presidential statement of 19 August 2005 (S/PRST/2005/39), recommendations regarding the updating of the UNOGBIS mandate and its role in the consolidation of peace and stability in Guinea-Bissau in the post-transition period.

II. Political developments

4. During the reporting period, the political situation in the country remained fragile. The second round of presidential elections was held in a peaceful, free, fair and transparent manner, and the final phase of the political transition, which started on 14 September 2003, was completed successfully. However, the aftermath of the polling has been marked by bitterness and sharp political divisions due to the rejection of the provisional election results by Malam Bacai Sanhá, one of the main presidential contenders, and his party, the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC). The majority vote, 52.35 per cent, went to Nino Vieira, compared with 47.65 per cent for Mr. Sanhá. Tension persisted when Mr. Sanhá again rejected the final results, announced on 10 August 2005.

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5. Following mediation efforts by the Special Envoy of the Chairperson of the African Union, President Pedro Rodrigues Pires of Cape Verde, who encouraged the National Electoral Commission to announce the final results and urged Mr. Sanhá to pursue legal means to address his electoral grievances, Mr. Sanhá filed an official appeal with the Supreme Court and indicated that he would accept the Court's ruling. On 19 August 2005, the European Union election observation mission released a press statement confirming that the presidential elections had been well organized and transparent and had met essential international principles for democratic elections. The mission also stated that, according to the electoral law of Guinea-Bissau, all legal resources had been exhausted. Nevertheless, on 20 August, at a meeting of PAIGC, Mr. Sanhá and Prime Minister Gomes, the PAIGC president, rejected the Supreme Court's ruling.

6. In an effort to ease the tension, on 22 August President Fradique de Menezes of Sao Tome and Principe, the current Chair of the Community of Portuguese-Speaking Countries (CPLP), visited Bissau briefly, met with the country's leaders, including Mr. Sanhá, and called upon all parties to refrain from any act that might jeopardize peace, stability and progress in the country and to uphold dialogue and unity. On 26 August, Mr. Sanhá's second request for the annulment of the poll results was also rejected by the Supreme Court, which declared that there were "insufficient judicial elements" to rule on that request.

7. The international community, in particular the Economic Community of West African States (ECOWAS), CPLP, the African Union and the United Nations, cooperated closely and effectively coordinated their efforts aimed at reducing electoral tensions, while UNOGBIS provided logistical support to the new CPLP office in Bissau.

8. During the electoral period, the political neutrality of the armed forces was crucial in guaranteeing a peaceful environment for the elections. Under the leadership of the Chief of the General Staff, General Tagme Na Waie, the armed forces intervened to provide security only at the request of transitional president Henrique Pereira Rosa, in coordination with the police and other law enforcement agencies. Appeals by national civil society organizations to the two candidates and their supporters to practice civil tolerance contributed positively to those efforts. In his public post-electoral statements, president-elect Vieira indicated that he would respect the separation of powers and work with the democratically elected institutions.

9. Throughout the electoral process, the attention of national stakeholders was focused exclusively on the elections, and UNOGBIS used its good offices to promote dialogue with political, military and civil society actors to enhance the management of various crises. In implementing its mandate to strengthen national conflict prevention and management, UNOGBIS invited a Geneva-based association, WSP International, to explore the potential for an inclusive research programme focused on the main sources of tension and possible avenues for stable development. In August, WSP International commenced joint preparatory activities with the National Institute of Studies and Research in Bissau.

10. Council members will recall that in my report to the Council dated 16 March 2005 (S/2005/174), I made a number of recommendations on how UNOGBIS should adjust its capacity to meet the requirements of its mandate in line with resolution

1580 (2004). I also outlined activities to help put the peacebuilding process in Guinea-Bissau on a steady, forward-looking track.

11. Subsequently, the focus of UNOGBIS activities from March to August 2005 was twofold: (a) to manage and resolve the series of crises inherent in the political transition and the electoral process so as to ensure the successful restoration of constitutional order; and (b) to build a reasonable degree of trust and a solid working relationship with the key national stakeholders and international partners in preparation for the critical post-transition peace consolidation phase.

12. With the completion of the political transition, UNOGBIS will have the role of a facilitator, within and outside the United Nations, in the development of self-sustainable national peacebuilding mechanisms and initiatives rather than that of a key protagonist in the peacebuilding process. To that end, it will resume its advocacy and good offices roles, as well as training and capacity-building activities, especially in the field of constructive conflict management and resolution. My recommendations on how to adjust the UNOGBIS mandate to enable the Office to carry out these functions are set out in paragraphs 35-37 below.

III. Economic and social aspects

13. The economic and financial situation remains difficult owing largely to low levels of internal and external resources. The Government has, however, continued to make a considerable effort to improve fiscal administration and limit expenditures to the required level. As noted by a mission of the International Monetary Fund (IMF), which visited the country in July, during the first six months of 2005 revenues from taxes had exceeded forecasts by 41 per cent, while expenditures were kept relatively under control. Although salaries had been paid to civil servants up to June 2005, the Government continued to face problems in meeting its salary obligations, accentuated by the prospect that the budget gap for the second half of 2005 could reach 12.5 billion CFA francs. If fiscal governance continues to improve, the IMF staff-monitored programme is expected to be replaced by an emergency post-conflict assistance programme, to be negotiated in the second half of the year.

14. In the long term, Guinea-Bissau hopes to benefit from the decision of the Group of Eight at its meeting in Gleneagles, United Kingdom of Great Britain and Northern Ireland, to cancel multilateral debt for the poorest countries. In the shorter term, the donor round table, scheduled for November 2005, would present an important opportunity for Guinea-Bissau to address the development challenges facing the country. However, the organization of the round table requires institutional stability and substantive support by the international community. Prior to the meeting, it is urgent for the international community to show the population of Guinea-Bissau quick and visible dividends of the present peacebuilding efforts. To that end, a $1.5 million portfolio of community-directed quick-impact projects that can be executed by non-governmental organizations has been submitted to donors for funding to help address the needs of vulnerable groups and mobilize additional popular support for the peace process.

15. Following the announcement by the Government of an outbreak of cholera on 21 June 2005, the United Nations system has been actively supporting the efforts of national authorities to fight the epidemic. The World Health Organization and the

United Nations Children's Fund (UNICEF) provided assistance by supplying medical products and education, information and communication materials and provided support for community public information activities. The agencies are part of a cholera task force established by the Government to monitor the situation and make appropriate recommendations. There is concern that the rainy season and poor public sanitation could contribute to the further spread of the epidemic. More support may be needed to control the problem.

IV. Military and security aspects

16. As the members of the Council will recall, in response to a request formulated by the Government, I dispatched a United Nations multidisciplinary project development mission to Guinea-Bissau earlier this year to examine the challenge posed by the proliferation of illicit small arms in that country. As a result of that mission, a project proposal was drafted whose main components are to provide assistance for the establishment of a national small arms commission and to implement a pilot small arms collection and destruction programme in the city of Bissau. Fund-raising for this project is well under way and its activities are expected to start within the next few months, within the framework of the United Nations Coordinating Action on Small Arms mechanism.

17. The United Nations Development Programme (UNDP) and UNOGBIS continue to provide support for security sector reform. UNOGBIS, at the request of the national authorities, recruited a national expert to assist the armed forces in formulating a project document on the reform. In response to the request of UNOGBIS to Guinea-Bissau's partners to support the reform, a security sector development advisory team from the United Kingdom plans to visit the country in October in support of the Office's efforts to provide assistance and advice to Guinea-Bissau in the formulation of a road map for comprehensive and credible security sector reform. ECOWAS, the CPLP, the African Union and several other bilateral and multilateral donors have expressed interest in assisting the Government to plan and implement security sector reform.

18. In order to enhance the performance of the police, which continues to be hampered by a lack of resources, to control criminality and to address the increase in organized crime, 250 police officers were sent to Angola for a three-month basic police training course. A major concern remains the inability of the police to tackle the growing problem of drug trafficking reportedly en route from South America to Europe, as there are no resources to investigate and take preventive action in that regard.

V. Human rights aspects

19. UNOGBIS continues its efforts to enhance respect of human rights and the rule of law, especially by the security services. Prior to the second round of elections, UNOGBIS organized a two-day training session for 23 senior police officers from all regions in the country on basic operational and tactical procedures with regard to crowd control, roadblocks, code of conduct principles and rules on the use of force and detention. It should be noted that during the electoral period, the freedom of expression, information, opinion and assembly was respected.

20. Given that the parliamentary debate on granting general amnesty to all persons involved in coups d'état from independence in 1974 to October 2004 is still pending, UNOGBIS intends to organize seminars for political, civil society and military actors on the wider implications of an amnesty as well as approaches to transitional justice.

21. UNOGBIS has participated in training sessions for senior officers of the armed forces and police in Bissau and the various regions, which were organized jointly with the national HIV/AIDS programme and the United Nations coordination expert on HIV/AIDS. The training also highlighted the need to combat violence against women as well as discrimination against and stigmatization of people with HIV/AIDS.

22. To advance the preparation of the first State report under the Convention on the Elimination of Discrimination against Women, UNOGBIS and UNICEF provided technical assistance to the Institute of Women and Children, with UNICEF funding consultants to assist in finalizing the report.

VI. Observations and recommendations

23. The completion of the electoral process marks the end of the transitional period and the full restoration of constitutional order. I wish to congratulate the people of Guinea-Bissau, who have made credible elections possible by turning out peacefully and in large numbers to vote for a new president. I also wish to commend the Government and the National Electoral Commission for the successful organization of the electoral process and for ensuring that the essential principles of democratic elections were met.

24. I extend my appreciation to transitional president Pereira Rosa for the courage, wisdom and outstanding sense of fairness and justice he demonstrated in leading the country through a complex and delicate political transition and for the support and excellent cooperation he has extended to UNOGBIS and my representatives throughout the transitional period.

25. I wish to note the effective collaboration between UNOGBIS and UNDP, both of which contributed to the holding of successful elections. At the request of the national authorities, UNDP coordinated international assistance to the electoral process and provided technical assistance, while UNOGBIS coordinated the activities of all international observer missions, with the exception of the European Union observers.

26. Now that the political contest is over, dialogue and reconciliation must prevail to overcome the divisions within the society of Guinea-Bissau and among political parties, which were particularly visible during the electoral process. Political stability is crucial if Guinea-Bissau is to consolidate its gains in governance: this will require considerable confidence-building efforts to dissipate institutional tensions and encourage constructive cohabitation between the organs of the State. One of the fundamental prerequisites for the consolidation of the constitutional order and the rule of law is respect for the independence of the judiciary, which would ensure a genuine rule of law. In that regard, I welcome Mr. Vieira's statements stressing unity, inclusiveness and recognition of the separation of powers between State institutions.

27. The political transition has ended, but Guinea-Bissau, which has now entered a delicate post-electoral phase, cannot meet its multiple short-term and long-term political and economic challenges without international assistance. I appeal to the international community to remain engaged and to provide Guinea-Bissau with development assistance. In my letter to President Olusegun Obasanjo of Nigeria dated 29 July 2005, I stressed that as Guinea-Bissau was approaching the full restoration of constitutional rule, once a newly elected president took office the proposals being developed for long-term economic recovery and reconstruction, including the convening of a donor round table, would be discussed with national stakeholders, and in particular with the country's new leadership.

28. I appeal to Guinea-Bissau's partners to participate actively in the forthcoming round table. The international community should support quick-impact economic and infrastructure initiatives to bring dividends of peace in the short, medium and long term to the people of Guinea-Bissau; elements for those initiatives are now being finalized by UNOGBIS and the United Nations country team.

29. One of the recommendations in my report of 16 March was to advance a comprehensive and integrated United Nations peacebuilding strategy under the coordination of UNOGBIS and with the support of the country team as a whole as an important instrument to boost resource mobilization efforts.

30. The draft comprehensive peacebuilding strategy has been prepared and has been discussed with major national stakeholders. In summary, it aligns the short-term objectives of consolidating peace and stability in the political sphere with the medium- to long-term objectives of promoting sustainable socio-economic development. It will be implemented in synergy with United Nations agencies and programmes and will complement them, with a focus on governance, State-building, human rights and resource mobilization.

31. The strategy includes promoting self-sustaining dialogue among all major stakeholders; enhancing governance and the rule of law and respect for human rights; fostering harmonious relations between the organs of sovereignty; assisting in the creation of functional indigenous conflict prevention and national reconciliation mechanisms; supporting national efforts for security sector reform; supporting the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and mobilizing international support for quick-impact projects to address the country's immediate challenges.

32. To help implement the strategy, UNOGBIS will seek to merge the United Nations peace and security and development agendas and will form partnerships not only with executing agencies of the United Nations, but also with national and international non-governmental organizations and civil society organizations to follow up on implementation. The activities of the Office will be aimed at helping to achieve national ownership and accountability, self-sustainability in the medium and long term and a strong component of capacity-building. UNOGBIS will use its good offices to influence the stakeholders and inform them of the advantages and merits of participation in peacebuilding activities.

33. With the return of State institutions to normal functioning, UNOGBIS will resume the structured process of dialogue among national stakeholders that it started in the first half of this year. It will conduct a series of training workshops on

negotiation and conflict management skills, focusing on parliamentary parties and commissions, civil society actors and the military.

34. The aspects of the UNOGBIS mandate relating to the full restoration of constitutional order, the holding of peaceful, free and fair presidential elections and the elaboration of a United Nations peacebuilding strategy for Guinea-Bissau have been implemented successfully. The engagement of key national stakeholders and international partners on the question of security sector reform within the broader framework of public administration reform is under way. The basis of a national initiative to address the challenge posed by illicit small arms and light weapons has been established and requires resource mobilization.

35. In the light of the above developments, I would like to propose the retention of those elements of the mandate which remain valid, while revising them as follows:

(a) To support efforts to consolidate constitutional rule, to enhance political dialogue and to promote national reconciliation and respect for the rule of law and human rights;

(b) To assist in strengthening the capacity of national institutions to maintain constitutional order, to prevent and manage conflict and to consolidate peace and democracy;

(c) To encourage and support national efforts to reform the security sector, including the development of stable civil-military relations, in the framework of public sector reform and to help mobilize international support for those efforts;

(d) To encourage the Government to fully implement the United Nations Programme of Action on Small Arms;

(e) Within the framework of a comprehensive peacebuilding strategy, to work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance to enable the Government to meet its immediate financial and logistical needs, including quick-impact projects, and to implement its national reconstruction and social and economic development strategy;

(f) To enhance cooperation and coordination with the African Union, ECOWAS, CPLP and other international partners, as well as inter-mission cooperation.

36. The emphasis of the proposed revised mandate will be on initiatives that meet the requirements of self-sustainability and national ownership; the development of synergies and complementarities with United Nations agencies, in particular UNDP and the Bretton Woods institutions, as well as with the African Union, ECOWAS and CPLP; and political dialogue, governance, human rights, security sector reform and resource mobilization.

37. The additional requirements of the mandate entail an adjustment of the Office's resource base. In that regard, I wish to reiterate my previous recommendations to strengthen UNOGBIS that were outlined in my report to the Council of 16 March 2005 and that took into consideration the country's short-, medium- and longer-term priorities. Some of the existing posts may need to be adjusted and new posts created, including: (a) a political affairs officer to assist with the increased workload, specifically, liaison with ECOWAS and CPLP, facilitation

of the process of political dialogue and liaison with donors and other international partners; (b) a senior national officer to liaise with national actors; (c) a United Nations Volunteer finance officer to support the effective and efficient financial management of UNOGBIS; and (d) a translator/interpreter in English and Portuguese. UNOGBIS will also require additional funding for travel throughout the country and to the subregion and more frequent consultations with the Security Council and subregional organizations.

38. Finally, I wish to thank the entire staff of UNOGBIS and my Representative for Guinea-Bissau for their continued dedication and commitment to the mission of assisting the people of Guinea-Bissau in their struggle for peace, stability, democracy and development.

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Draft resolution

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002, 1510 (2003) of 13 October 2003 and 1563 (2004) of 17 September 2004,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001 and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the cooperation of the Government of the Islamic Republic of Afghanistan with the International Security Assistance Force,

Recalling the importance of the Bonn Agreement and the Berlin Declaration, in particular annex 1 of the Bonn Agreement which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of respect for democratic values, of full completion of the disarmament, demobilization and reintegration process, of the disbandment of illegal armed groups, of justice sector reform, of security sector reform including reconstitution of the Afghan National Army and Police, and of combating narcotics trade and production, and *recognizing* certain progress that has been made in these and other areas with the help of the international community,

Recognizing the challenges facing Afghanistan with regard to the security situation in parts of the country,

Welcoming in this context the commitment by NATO lead nations to establish further Provincial Reconstruction Teams (PRTs),

Further welcoming the role played by the International Security Assistance Force and the Operation Enduring Freedom Coalition in assisting in securing the conduct of national elections,

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Expressing its appreciation to Italy for taking over the lead from Turkey in commanding the International Security Assistance Force, and to those nations who contributed to Eurocorps, and *recognizing* with gratitude the contributions of many nations to the International Security Assistance Force,

Taking note of the letter dated 1 September 2005 from Dr. Abdullah Abdullah, Minister for Foreign Affairs of the Islamic Republic of Afghanistan, to the Secretary-General of the United Nations (S/2005/574, annex),

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Government of the Islamic Republic of Afghanistan,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2005;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to strengthen the International Security Assistance Force, and in this regard *calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

4. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Government of the Islamic Republic of Afghanistan and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate;

5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

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Security Council

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13 September 2005

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Draft resolution

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999, 1373 (2001) of 28 September 2001, 1535 (2004) of 26 March 2004, 1540 (2004) of 28 April 2004, 1566 (2004) of 8 October 2004, and 1617 (2005) of 29 July 2005, the declaration annexed to its resolution 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by acts of terrorism,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations, and also *stressing* that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Condemning in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security, and *reaffirming* the primary responsibility of the Security Council for the maintenance of international peace and security under the Charter of the United Nations,

Condemning also in the strongest terms the incitement of terrorist acts and *repudiating* attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,

Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and *emphasizing* the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life,

Recalling the right to freedom of expression reflected in Article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 ("the Universal Declaration"), and recalling also the right to freedom of expression in Article 19 of the International Covenant on Civil and Political Rights adopted by the General Assembly in 1966 ("ICCPR") and that any restrictions thereon shall

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only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,

Recalling in addition the right to seek and enjoy asylum reflected in Article 14 of the Universal Declaration and the non-refoulement obligation of States under the Convention relating to the Status of Refugees adopted on 28 July 1951, together with its Protocol adopted on 31 January 1967 ("the Refugees Convention and its Protocol"), and also *recalling* that the protections afforded by the Refugees Convention and its Protocol shall not extend to any person with respect to whom there are serious reasons for considering that he has been guilty of acts contrary to the purposes and principles of the United Nations,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Recognizing the essential role of the United Nations in the global effort to combat terrorism and *welcoming* the Secretary-General's identification of elements of a counter-terrorism strategy to be considered and developed by the General Assembly without delay with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses at the national, regional and international level to counter terrorism,

Stressing its call upon all States to become party, as a matter of urgency, to the international counter-terrorism Conventions and Protocols whether or not they are party to regional Conventions on the matter, and to give priority consideration to signing the International Convention for the Suppression of Nuclear Terrorism adopted by the General Assembly on 13 April 2005,

Re-emphasizing that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to strengthening the international fight against terrorism,

Stressing the importance of the role of the media, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment which is not conducive to incitement of terrorism,

Recognizing the importance that, in an increasingly globalized world, States act cooperatively to prevent terrorists from exploiting sophisticated technology, communications and resources to incite support for criminal acts,

Recalling that all States must cooperate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe

haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

1. *Calls upon* all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to:

(a) Prohibit by law incitement to commit a terrorist act or acts;

(b) Prevent such conduct;

(c) Deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct;

2. *Calls upon* all States to cooperate, inter alia, to strengthen the security of their international borders, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures with a view to preventing those guilty of the conduct in paragraph 1 (a) from entering their territory;

3. *Calls upon* all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;

4. *Stresses* that States must ensure that any measures taken to implement paragraphs 1, 2 and 3 of this resolution comply with all of their obligations under international law, in particular international human rights law, refugee law, and humanitarian law;

5. *Calls upon* all States to report to the Counter-Terrorism Committee, as part of their ongoing dialogue, on the steps they have taken to implement this resolution;

6. *Directs* the Counter-Terrorism Committee to:

(a) Include in its dialogue with Member States their efforts to implement this resolution;

(b) Work with Member States to help build capacity, including through spreading best legal practice and promoting exchange of information in this regard;

(c) Report back to the Council in twelve months on the implementation of this resolution.

7. *Decides* to remain actively seized of the matter.

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Draft resolution

The Security Council,

Decides to adopt the attached declaration on strengthening the effectiveness of the Security Council's role in conflict prevention, particularly in Africa.

Annex

The Security Council,

Meeting on 14 September 2005 at the level of Heads of State and Government to discuss how to strengthen the effectiveness of the Security Council's role in the prevention of armed conflict, particularly in Africa,

Reaffirming its commitment to the Purposes and Principles of the Charter of the United Nations,

Bearing in mind its primary responsibility for the maintenance of international peace and security,

Deeply concerned by the high human cost and material losses caused by armed conflicts and *recognizing* that peace, security and development are mutually reinforcing, including in the prevention of armed conflict,

Reaffirming the importance of adhering to the principles of refraining, in international relations, from the threat or the use of force in any manner inconsistent with the Purposes of the United Nations, and of peaceful settlement of international disputes,

Reaffirming the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict and political and social crises in a comprehensive manner, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, gender equality, the rule of law and respect for and protection of human rights,

Recognizing the need to strengthen the important role of the United Nations in the prevention of violent conflicts, and to develop effective partnerships between the Council and regional organizations, in particular the African Union and its subregional organizations, in order to enable early responses to disputes and emerging crises,

Recalling the Constitutive Act of the African Union, the Protocol relating to the establishment of the Peace and Security Council of the African Union, and the

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African Union Non-Aggression and Common Defence Pact adopted in Abuja on 31 January 2005, as well as the African Union position on unconstitutional changes of governments, as stated in the 1999 Algiers Declaration and the 2000 Lomé Declaration,

Recognizing the important supporting roles played by civil society, men and women, in conflict prevention, and the need to take into account all possible contributions from civil society,

1. *Expresses* its determination to enhance the effectiveness of the United Nations in preventing armed conflicts and to monitor closely situations of potential armed conflict;

2. *Affirms* its determination to strengthen United Nations conflict prevention capacities by:

(a) assessing regularly the developments in regions at risk of armed conflict and encouraging the Secretary-General to provide information to the Council on such developments pursuant to Article 99 of the Charter;

(b) promoting the follow-up of preventive-diplomacy initiatives of the Secretary-General;

(c) supporting regional mediation initiatives in close consultation with regional and subregional organizations concerned;

(d) supporting regional and subregional capacities for early warning to help them in working out appropriate mechanisms to enable prompt action in reaction to early warning indicators;

(e) requesting as necessary and appropriate information and assistance from the Economic and Social Council in accordance with Article 65 of the United Nations Charter;

(f) taking measures to contribute to combating illicit trade of arms in all its aspects and the use of mercenaries;

(g) helping to enhance durable institutions conducive to peace, stability and sustainable development;

(h) supporting efforts of African States to build independent and reliable national judicial institutions;

3. *Requests* the Secretary-General to:

(a) provide to the Council regular reports and analysis of developments in regions of potential armed conflicts, particularly in Africa, and as appropriate a presentation of ongoing preventive-diplomacy initiatives;

(b) assist countries at risk of armed conflict in performing strategic conflict risk assessments, in implementing the measures agreed by the concerned countries, in enhancing national dispute management capacities, and in addressing the root causes of armed conflict;

(c) promote coordination with regional conflict management machinery in Africa which would provide the Security Council with additional reliable and timely information to facilitate rapid decision-making;

4. *Stresses* the importance of establishing effective comprehensive strategies of conflict prevention, focused on averting negative developments in the security, economic, social and humanitarian sectors and in the field of governance and human rights in countries which are facing crises, with special attention to:

(a) developing quick win activities to prevent conflicts arising from competition for economic resources and to monitoring tension arising from economic and social issues;

(b) encouraging United Nations regional offices to facilitate the implementation of strategies aimed at curbing illicit cross-border activities;

(c) strengthening the capacities of civil society groups, including women's groups, working to promote a culture of peace, and to mobilize donors to support these efforts;

(d) developing policy measures to foster good governance and the protection of human rights in order to strengthen weakened or collapsed governance mechanisms and to end the culture of impunity;

(e) promoting the fairness and transparency of electoral processes;

5. *Stresses* the critical importance of a regional approach to conflict prevention, particularly to programmes of disarmament, demobilization and reintegration, as well as the effective and sustainable reintegration of ex-combatants;

6. *Reaffirms* its determination to take action against illegal exploitation and trafficking of natural resources and high-value commodities in areas where it contributes to the outbreak, escalation or continuation of armed conflict;

7. *Calls* for the strengthening of cooperation and communication between the United Nations and regional or subregional organizations or arrangements, in accordance with Chapter VIII of the Charter, particularly with respect to mediation initiatives;

8. *Encourages* all African States to adhere to the African Union Non-Aggression and Common Defence Pact adopted in Abuja on 31 January 2005, and to sign where appropriate subregional pacts on peace, security, democracy, good governance and development, and *calls* on the United Nations system and the international community to support the implementation of the Pacts;

9. *Encourages also* African countries to continue to work closely with the United Nations Secretariat and United Nations regional offices in the implementation of measures aimed at securing peace, security, stability, democracy and sustainable development consistent with the objectives of the New Partnership for Africa's Development;

10. *Urges* the international community including the United Nations system and International Financial Institutions to support African countries in their efforts to achieve the above objectives and in this respect *welcomes* the decisions taken by the G-8 Summit held in Gleneagles, 6-8 July 2005, for combating poverty in Africa;

11. *Urges* all African States and the international community to fully cooperate in developing the capacities of African regional and subregional organizations to deploy both civilian and military assets quickly when needed,

including the development of the African Union's African Standby Force; *welcomes* bilateral and multilateral programmes developed to this end, and *expresses* its support for the Secretary-General's proposal to establish a ten-year capacity-building programme for the African Union;

12. *Decides* to remain seized of the matter.

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Report of the Secretary-General on the Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005) of 24 March 2005, in which the Council requested me to keep it regularly informed of the progress in implementing the Comprehensive Peace Agreement, respect for the ceasefire, and the implementation of the mandate of the United Nations Mission in the Sudan (UNMIS). The report provides an assessment of the overall situation in the country, including progress made in implementing the Comprehensive Peace Agreement, as well as progress achieved towards the mandated objectives of UNMIS since my previous report to the Council, dated 23 June 2005 (S/2005/411).

II. Implementation of the major elements of the Comprehensive Peace Agreement

2. The implementation of the Comprehensive Peace Agreement was put to a severe test when the First Vice-President, John Garang, died on 30 July in a helicopter crash near New Cush, southern Sudan. The days following the announcement of Mr. Garang's death were marked by serious violence in Khartoum and several other locations including Juba and Malakal in southern Sudan. The violence resulted in a significant number of deaths, arson and damage to property. In the days that followed, the Sudan People's Liberation Movement (SPLM) took swift action to confirm Salva Kiir as its new Chairman. President Omar al-Bashir, Mr. Kiir and a number of other Sudanese and world leaders made statements appealing for calm and unity. By the time the funeral of Mr. Garang was held in Juba on 6 August, the tense atmosphere had dissipated somewhat. The caretaker Government later established committees to investigate both the helicopter crash and the violence. UNMIS responded to Government and SPLM requests for logistical and technical assistance when the crisis first broke and in the lead-up to the funeral. It will continue to offer logistical support, within its operational capabilities.

3. Earlier in the reporting period, President Bashir, the late First Vice-President Garang and Vice-President Ali Osman Taha were sworn in on 9 July. The President issued a decree on the same day to establish a caretaker Government, pending the establishment of the Government of National Unity. The new Interim National

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Constitution was also signed by President Bashir on that day, and the state of emergency was lifted in all States except Darfur, Kassala State and Red Sea State. Local states of emergency were imposed after the death of Mr. Garang, but they were in line with the new interim constitution, rescinded once the violence subsided.

4. Following the tragic loss of First Vice-President Garang, Salva Kiir was sworn in as First Vice-President of the Sudan on 11 August. During the inauguration ceremony for Mr. Kiir, President Bashir vowed to join hands with SPLM to continue working towards "harmony and co-existence". The new First Vice-President pledged to continue the vision of the late SPLM leader, vowed to work towards making unity attractive for all southerners over the interim period, and called for the inclusion of all Sudanese political forces within the Comprehensive Peace Agreement. On 19 August, Riek Machar was appointed Vice-President of Southern Sudan in accordance with SPLM succession procedures.

5. The death of Mr. Garang has led to understandable delays in the implementation of the Comprehensive Peace Agreement including the appointment of the Council of Ministers, which was to have been completed by 9 August. Within the current caretaker Government, there have been some reports of tension between the parties over portfolios and prolonged delays over the allocation of the key "sovereign" and economic ministries. At the same time, many commissions and committees anticipated in the Comprehensive Peace Agreement, spanning areas like human rights and the civil service, remain to be created. It is important that these bodies be established without further delay.

6. During the Naivasha negotiations many of the issues not resolved by the Comprehensive Peace Agreement were placed in the hands of the collective Presidency (comprising the President and the two Vice-Presidents), and it is on the Presidency that their resolution now depends. So far, while the Presidency has held a number of meetings, it has not yet begun to offer the kind of high-level resolution of conflicts expected of it.

7. While the Government of National Unity remains to be finalized, the two chambers of the national legislature, the National Assembly and the Council of States, were inaugurated on 31 August. Three pieces of legislation were introduced for review and approval by the National Assembly: the Bank of Sudan Act, the Constitutional Court Act, and the Judicial Service Commission Act. I am encouraged by this development and congratulate the parties on achieving this milestone.

8. The United Nations and a number of international partners have agreed to provide technical support to help set up the key commissions to assist with the implementation of the Comprehensive Peace Agreement. In a very important step forward, President Bashir on 30 August established the Ceasefire Political Commission, whose functions will include, inter alia, supervising, monitoring and overseeing the implementation of the Agreement, as well as providing a political forum for continuous dialogue between the parties and the international community. Urgent action is now required to establish the Assessment and Evaluation Commission, whose mandate and composition are currently being reviewed by the Presidency.

9. Among other positive developments related to the Comprehensive Peace Agreement, the Government and SPLM are now nominating officers to form the

Joint Integrated Units, the military units that will form the nucleus of the future Sudanese National Armed Forces, should the result of the self-determination referendum confirm the unity of the country. There are also encouraging signs that political parties which were not signatories to the Agreement, including the National Democratic Alliance, are ready to participate in the Government of National Unity.

10. In the south, the legislative council of SPLM was dissolved on 18 July and a caretaker administration was established to remain in place until a constitution for southern Sudan has been ratified and a new government inaugurated. On 27 August, the Southern Sudan Constitutional Drafting Committee was established to examine and adopt the draft the southern Sudanese constitution based on the Comprehensive Peace Agreement and the Interim National Constitution. The process of adopting the new southern Sudanese Constitution is expected to be completed by early October, leading to the establishment of the Southern Sudan Assembly.

11. A south-south dialogue meeting facilitated by the Moi Africa Institute was convened in Nairobi on 30 June to bring together senior SPLM/A security officials and commanders of various militia groups active in southern Sudan. For the first time since the 1991 SPLM/A split, more than 60 senior military commanders from both SPLM/A and other armed groups gathered under the chairmanship of Mr. Garang. The meeting was, however, unable to resolve the issue of fundamental differences between the Southern Sudan Defence Force and SPLM/A. Later in the reporting period, Major General Paulino Matip, leader of the Southern Sudan Defence Force, sent encouraging signals following Mr. Kiir's accession to the leadership of SPLM/A and his inauguration as First Vice-President. For his part, Mr. Kiir expressed readiness to discuss outstanding issues with the Southern Sudan Defence Force, including those yet to be resolved by the south-south dialogue. It is anticipated that the south-south dialogue itself will resume in Khartoum in September.

12. On 14 July, the Abyei Boundaries Commission, established under the Comprehensive Peace Agreement to define and demarcate the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905, presented its report to the Presidency. The decision of the Commission prompted protests from some members of the Misseriya tribe. UNMIS has been in contact with all parties in both Khartoum and Abyei to ensure that the resolution of the Abyei question is concluded on the basis of the Comprehensive Peace Agreement. UNMIS has also increased the number of military observers, United Nations police, and civilian staff in Abyei and my Special Representative, Jan Pronk, has undertaken a number of initiatives to reduce tension in the area. The Presidency is currently discussing the Commission's report, which it has yet to publish. It is fully aware of the wider implications of the Abyei question, which will set a precedent for how differences arising under the Comprehensive Peace Agreement are handled.

13. On 4 August, President Bashir issued a provisional order to promulgate a decree on the organization of humanitarian and voluntary work. The decree directly affects the exercise of fundamental freedoms, including the freedom of association protected in the Comprehensive Peace Agreement, the Constitution, and international human rights instruments ratified by the Sudan. The decree provides wide powers to the Ministry of Humanitarian Affairs and the Humanitarian Affairs Commission to oversee and control the activities of national and international non-governmental and civil society organizations. The decree requires, inter alia, non-

governmental organizations, international non-governmental organizations and other groups existing before the entry into force of the decree to re-register, and does not provide for independent or judicial review of decisions on issues such as cancellation or refusal of registration. It will be important and necessary that the provisional order be submitted to the National Assembly as soon as it convenes in accordance with article 109 (1) of the Interim National Constitution, to ensure that it is in accordance with international human rights standards.

Darfur

14. As stated in my report on Darfur dated 11 August 2005 (S/2005/523), the Government of the Sudan, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) adopted a Declaration of Principles at Abuja on 5 July 2005. The Declaration contains important provisions regarding the shape of future negotiations on matters such as unity, power- and wealth-sharing, security arrangements, and land use and ownership. It was favourably received in Darfur, despite some reservations related to tribal land rights, the future Darfur-Darfur dialogue, and security. The Declaration was an important milestone and created political momentum for the Abuja process by providing an outline for a peace agreement for discussion at the next round of talks.

15. In an effort to obtain the agreement of the parties on a number of procedural issues pertaining to the next round of talks, the African Union mediator for the Darfur peace talks, Salim Ahmed Salim, organized a meeting in Dar es Salaam from 21 to 23 August with the Government of the Sudan, JEM and SLM/A. The consultations also addressed a request by the Secretary-General of SLM/A, Mini Arkoy Minawi, and by Chad, to postpone the next round of talks, originally scheduled for 24 August, so as to allow SLM/A to harmonize the views of its military and political leadership at a conference.

16. The next round of talks is now scheduled to open in Abuja on 15 September. UNMIS is exploring ways to further support the African Union, both substantively and through the provision of logistical support for participants attending the talks. Divisions within the rebel movements, particularly SLM/A, are likely to be a challenge during the talks. I strongly urge SLM/A to resolve its internal differences and to attend the sixth round of talks prepared to negotiate and reach agreement on the relevant substantive issues.

III. Implementation of the UNMIS mandate

Political support and conflict reconciliation

17. Pursuant to paragraph 3 of resolution 1590 (2005), UNMIS has provided good offices and political support for a number of efforts to resolve ongoing conflicts in the Sudan. In addition to regular meetings with senior officials of the Government of the Sudan, SPLM/A and the caretaker Government, a number of meetings were held with leading opposition groups in an effort to encourage wider participation in the peace process. Following a new eruption of violence in the eastern Sudan in June, UNMIS undertook several visits both to the east and to Asmara for discussions with the Eastern Front leadership. Despite the general willingness shown by the two sides to enter into talks, progress has been slow and the Government and the Eastern Front have yet to conduct their first face-to-face meeting. UNMIS remains in

contact with both sides with a view to securing, as early as possible, a date for the first round of talks. With regard to the conflict in Darfur, UNMIS, in support of the work of the African Union, has met with political and military commanders of both armed movements, to encourage cohesion within and between them and to urge both the swift resumption of the Abuja talks and the need for them to be flexible in negotiations.

18. As part of the UNMIS mandate to support reconciliation and efforts to resolve ongoing conflicts pursuant to paragraphs 4 (a) (vi) and 3, respectively, of resolution 1590 (2005), UNMIS staff in Khartoum, Juba, Wau, Malakal, Kadugli, Ed-Damazin, Abyei and Kassala are concentrating on monitoring the implementation of the Comprehensive Peace Agreement; promoting social reconciliation and encouraging dialogue in relevant areas; identifying the needs of the new public administration; and helping to defuse tensions, especially after the death of First Vice-President Garang. UNDP is supporting State- and county-level public administration through technical assistance and in-service training.

19. UNMIS staff in El Fasher, Nyala, El Geneina and Zalingei are supporting the reconciliation process in Darfur in several ways. UNMIS staff monitor the Government-sponsored tribal reconciliation process and together with the Office for the Coordination of Humanitarian Affairs and African Union Mission in the Sudan (AMIS) police, facilitate dialogue between internally displaced persons and local police. The Mission also maintains contact with a broad range of civil society organizations in Darfur, encouraging them to support the Abuja process. UNDP and academic institutions in Darfur contribute to the reconciliation programme through a rule of law seminar series fostering dialogue on the rule of law and peaceful conflict resolution.

Liaison with the African Union Mission in the Sudan

20. UNMIS liaises closely with the African Union Mission in Sudan, through regular contacts with the Special Representative in the Sudan of the African Union Commission Chairperson, Baba Gana Kingibe, as well as through its constant presence, increasing joint activities on the ground in Darfur and periodic meetings with the AU leadership in Addis Ababa. Additionally, the United Nations Assistance Cell to the African Union, based in Addis Ababa, helps support the African Union in planning and providing technical advice for AMIS and works closely with other partners to facilitate the African Union Commission's efforts to secure required resources and other support needs for AMIS.

21. As part of this ongoing support for AMIS, the AU Commission and the United Nations, with the participation of the European Union, the United States of America and NATO partners, successfully undertook a map exercise with AMIS personnel in Darfur. The exercise, which was managed from AMIS force headquarters in El Fasher and ran from 18 to 27 August, had four objectives: to strengthen command and control of AMIS headquarters, to improve the ability of the AU force to deploy to maximum effect, to support the integration of the different components of the AU Mission, and to support contingency planning.

22. Other efforts to foster peace in Darfur through assistance to AMIS are being reinforced, in particular in the field of policing, human rights and rule of law. UNDP, the Office of the United Nations High Commissioner for Human Rights, UNICEF, UNFPA and UNMIS will jointly implement a comprehensive training

programme for all AMIS forces on human rights, the rule of law, sexual and gender-based violence, and codes of conduct.

Status-of-forces agreement

23. As I stated in my last report, UNMIS has been engaged in active consultations with the parties on a status-of-forces agreement. Despite earlier optimism and pledges by both parties to cooperate with UNMIS on this issue, those consultations with a joint committee of the two parties have not yet concluded in an agreement. While the discussions have addressed a number of important issues, others remain to be resolved. They include the key issues of full and unrestricted freedom of movement for UNMIS, which is imperative for the fulfilment of its mandate and was previously agreed between the parties in the Comprehensive Peace Agreement.

24. In addition, the Government has been reluctant to accept some major operational requirements of the Mission, which are in accordance with the established practices and principles of peacekeeping, in particular with respect to the self-registration of UNMIS vehicles. The Government has also objected to the status of locally recruited staff of UNMIS, and to the relevant privileges and immunities provided under the Convention on the Privileges and Immunities of the United Nations of 1946, from which the Government now wishes to deviate. This delay is a matter of serious concern as it negatively affects the deployment of the Mission and the implementation of its mandate. Recently, the Minister for Foreign Affairs of the Sudan, at a meeting with my Special Representative, committed himself to help solve these issues. I therefore urge both parties, and the Government in particular, to conclude the status-of-forces agreement.

25. Further to the provisions of paragraph 8 of resolution 1590 (2005), on 16 May, UNMIS approached the Governments of Kenya and Uganda with proposed transit arrangements for the free, unhindered and expeditious movement to the Sudan of UNMIS personnel and equipment. Since then, there have been discussions on such arrangements with Uganda, which appear close to finalization. It is hoped that a memorandum of understanding can be quickly finalized with Kenya.

Military deployment and activities

26. The deployment of UNMIS military elements has progressed slowly but steadily. With the recent deployment of the Bangladeshi Sector headquarters and composite group, UNMIS has achieved initial operating capability in Juba (Sector I), which is now the political centre of southern Sudan. The Italian-led standby high-readiness force headquarters company is fully operational and providing security to the UNMIS headquarters in Khartoum. As at 5 September 2005, a total of 2,309 military personnel were deployed in the mission area, including 153 military staff officers, 145 military observers and 2,011 troops.

27. As indicated in previous reports, mounting this large and complex operation in a vast country like the Sudan is a major challenge. A number of factors have delayed deployment in the Mission's area of responsibility. The rainy season has proved to be as difficult a factor for operations as was feared. Some contractors have been unable to meet their deadlines for the delivery of goods and services, including construction materials and the preparation of tented camps. Some troop-contributing countries have not been able to meet the deployment plans. In some cases, the Government delayed providing land for military camps, while the SPLM/A

authorities were slow to respond positively on the issue of land allocation for UNMIS.

28. While the force headquarters and the integrated support services reached operational readiness roughly on schedule, the delays described above retarded the deployment of protection and enabling forces in the seven operational sectors. This left some sectors without the security and medical coverage that is required to deploy substantial numbers of military observers, police and civilian personnel.

29. Since timely deployment is critical to the ability of UNMIS to support the implementation of the Comprehensive Peace Agreement, the Mission reconfigured parts of its deployment plan and encouraged troop-contributing countries to meet the new schedule. After reviewing the security and safety conditions, and after the selective deployment of commercial medical teams, UNMIS was able to deploy military observers into some sector headquarters locations, thereby achieving the early establishment of a full-time presence in critical areas.

30. On the basis of political and operational priorities, UNMIS has established a full-time military observer presence in Juba (Sector I), Wau (Sector II), Malakal (Sector III), Kadugli (Sector IV), Ed-Damazin (Sector V), Abyei (Sector VI) and Kassala (redeployment coordination headquarters). Kenya (Sector II), India (Sector III), Egypt (Sector IV), Pakistan (Sector V) and Zambia (Sector VI) are now expected to deploy their sector headquarters and composite groups (including limited force protection elements) and to establish initial operating capability by the end of September. Critical assets from the Russian Federation and China are also urgently required. Given that the deployment of UNMIS military personnel is still ongoing and that all mandated military tasks remain to be accomplished, it is believed that the mandated strength of the military component should remain for the time being at the level set by the Security Council in resolution 1590 (2005).

31. In accordance with paragraph 4 (a) of resolution 1590 (2005), UNMIS has begun monitoring the movement of armed groups and the redeployment of forces in its operational area. Initially, the parties expressed some difficulties in collating the information regarding movements of military units required for the United Nations to carry out its mandated monitoring, but that information is now being made available. At a recent meeting of the Ceasefire Joint Military Committee, established under the Comprehensive Peace Agreement and chaired by the UNMIS Force Commander, SPLA declared movements of 4,344 personnel for the period from 9 January to 29 August 2005, information that the Mission is now verifying. The largest of those SPLA redeployments was the movement of approximately 600 troops into Juba immediately prior to the funeral of Mr. Garang to perform both security and ceremonial duties in close cooperation with the Sudanese Armed Forces. The SPLA troops then remained in Juba and will become part of the eventual Juba Joint Integrated Unit.

32. Following the signature of the Comprehensive Peace Agreement on 9 January 2005, the Sudanese Armed Forces provided some preliminary information on the location of their forces, but the information remains insufficient. They have reported the reduction of their force level by 17 per cent in southern Sudan, though this cannot yet be verified, since the movements were not declared and thus not monitored. The parties have been clearly informed that such reductions or movements of troops should be declared beforehand to enable UNMIS to monitor them. Indeed, unilateral decisions to move troops, unmonitored, are in technical

violation of the Comprehensive Peace Agreement. At a recent meeting of the Ceasefire Joint Military Committee, the Sudanese Armed Forces provided information of their intention to move eight companies. Future movements will be monitored by United Nations military observers.

33. The first fully monitored redeployment of forces occurred on 3 and 4 September 2005, when 993 SPLA troops moved from Kassala to Khartoum with their weapons and equipment to make up the future Khartoum Joint Inspection Unit, known as the Khartoum Independent Brigade. SPLA had attempted to move the troops and their heavy weapons just before the 9 July inauguration ceremonies, but lack of prior liaison with the Sudanese Armed Forces and disagreement on heavy weapons delayed the move. The Joint Defence Board, crucial for the establishment, organization, doctrine and training of Joint Inspection Units, is also expected to be created shortly by presidential decree now that both parties have made their respective nominations.

34. In addition to troop redeployments, the Ceasefire Joint Military Committee has discussed other key issues, including the formation of joint inspection units, the structure of the Area Joint Military Committees, the situation concerning "other armed groups", the release of prisoners, and the issue of child soldiers. Given the threat of food insecurity around Juba that resulted from the unrest following Mr. Garang's death, the parties also agreed to prioritize the joint demining and installation of bridges needed to open the road from Yei to Juba.

35. The Ceasefire Joint Military Committee has also discussed the provision of Sudanese Armed Forces/SPLA national liaison officers for the Joint Monitoring Teams. The parties have not yet fully established this aspect of the verification and monitoring mechanism laid out in the security arrangements set out in the Comprehensive Peace Agreement. The Sudanese Armed Forces and SPLA have acknowledged this and explained that they are not able to provide the national liaison officers with the necessary logistical and financial support to carry out their tasks. The issue will be referred to the newly established Ceasefire Political Commission for resolution. In the meantime, the Mission is approaching several Member States to see if they would be prepared to provide the parties with the necessary financial support, either bilaterally or through a United Nations-administered trust fund. This arrangement will also apply to a much smaller number of national police liaison officers.

36. The Verification and Monitoring Team that has been operating under the operational control of UNMIS since 24 March 2005 progressively scaled down its operations in southern Sudan and finally closed down its operations in the Malakal sector on 28 August. The Team performed its tasks effectively and was able to build confidence among the parties and local population in its area of operations.

Disarmament, demobilization and reintegration

37. The United Nations has taken a range of measures, pursuant to paragraph 4 (a) (iv) of resolution 1590 (2005), to assist in the establishment of a disarmament, demobilization and reintegration programme as called for in the Agreement. The Sudanese authorities, with support from the United Nations, are actively establishing structures for national policy coordination and the implementation of such a programme in the north and south. The interim disarmament, demobilization and reintegration authorities in the north and south have also made some progress in

the identification of field offices and deployment of staff in all the priority regions and States. This process is scheduled to be completed by the end of September 2005.

38. The interim authorities are also currently engaged in putting in place the modalities for implementation of an interim disarmament, demobilization and reintegration programme with the support of UNMIS, UNDP and UNICEF. The programme is designed to commence with the special needs of children, women and the disabled associated with the various armed forces and militia and the preparation of a comprehensive programme for other adult combatants from the consolidated forces as spelled out in the Comprehensive Peace Agreement. The programme already has the support of a number of key bilateral donors. Formal approval of the programme by the new Government of National Unity and the Government of Southern Sudan is expected this month, to be followed by resource mobilization and implementation.

Police

39. As at 5 September, a total of 86 United Nations police officers were inducted in the Mission area. While the number remains below that originally expected for this stage of the operation for the reasons stated above, UNMIS police now have a forward headquarters in Juba and a presence in six sectors. One additional senior police adviser has been assigned to the United Nations Assistance Cell to the African Union in Addis Ababa to reinforce the police advisory support.

40. A strategic plan for police development and training is being prepared pursuant to paragraph 4 (a) (vii) of resolution 1590 (2005). In view of the importance of police development requirements, bilateral and multilateral assistance programmes must be coordinated and integrated to achieve maximum results at this critical juncture of peace stabilization. United Nations police in the Sudan are coordinating with all stakeholders to ensure the integration of the police development process and the establishment of a network of police stations in southern Sudan. Despite the current deployment delays, the UNMIS police field presence, together with UNDP, has successfully completed training courses for Government of the Sudan police in Kadugli and Juba and more courses are planned for implementation with police in both the north and the south. A short course for senior police officers has been undertaken in Sector IV. These training sessions have been well received by all participants. A UNDP capacity-building programme for the police in the south has also recently been endorsed by SPLM.

41. Following the disturbances in Khartoum, United Nations police observers carried out monitoring patrols in the capital with the agreement of the local police. In the meantime, discussions have taken place with senior Government police officers on future training activities to help improve public order management, strategy and tactics.

Public information

42. In order to assist the parties in promoting understanding of the peace process and the role of UNMIS, the Mission has published a simplified version of the Comprehensive Peace Agreement, together with detailed information on the UNMIS mandate. Public information staff are engaged in a programme to raise public awareness of the Mission's roles and functions requested by the parties in the Agreement, as well as its mandate under Security Council resolution 1590 (2005).

43. While there have been some efforts by the parties to disseminate the Comprehensive Peace Agreement, neither party has initiated a public campaign to explain the document to the public. Consultations with the Joint Media Commission, in which both parties are represented, were initiated in May to determine additional assistance that UNMIS can provide for public dissemination and explanation of the Agreement. It will be necessary for both parties to actively work to ensure that the document is widely distributed and its implications understood by the Sudanese population.

44. UNMIS Radio is scheduled to start six hours a day of information broadcasting in October. Broadcasting of news and information, discussion programmes and music in Arabic and colloquial "Juba" Arabic will start in Khartoum and be relayed to Juba. Translation of information programming into local languages is expected to commence slightly later. Twenty radio producers have completed recruitment and training in Khartoum and a similar number are undergoing recruitment and training for work in the south.

45. UNMIS has also started to disseminate a twice-monthly newsletter in Arabic and English, circulated widely in the Mission's area of responsibility, to universities, the diplomatic community, non-governmental organizations and civil society organizations, as well as caretaker Government offices.

46. As requested in paragraph 4 (v) of resolution 1590 (2005), UNMIS maintains regular contact with the AMIS public information office. UNMIS has offered support and contacts with local Sudanese media outlets to assist AMIS in conducting media tours of their operations and activities in Darfur.

Humanitarian assistance

47. The traditional "hunger gap", which peaks this month, has forced a growing number of people to rely on humanitarian assistance during the past 90 days. This was however partially offset by increased outreach by humanitarian agencies and an increase in United Nations agency presence. In Darfur, the humanitarian community, made up of more than 12,500 aid workers, 13 United Nations agencies and 81 international non-governmental organizations on the ground, has been assisting an ever-increasing number of affected people, including close to 2 million internally displaced persons. Despite heavy rains in the south, humanitarian assistance to the most vulnerable has continued and increased, particularly for areas of concern such as northern Bahr el Ghazal, where returns have further exacerbated food shortages. WFP has correspondingly increased food distribution, delivering food assistance to over 1 million beneficiaries in July and increasing the number of food drop locations in the region. As expected, impassable roads, increases in prices, and a difficult operating environment related to the rains have hindered operations. In addition, crippling shortages of jet fuel and persistent funding shortfalls for air operations have severely constrained air support for food and non-food deliveries. The Government has been urged repeatedly to make additional jet fuel available, as have donors to provide urgent funding.

48. United Nations agencies have advanced in the process of consolidating their southern operations and will move management functions from Rumbek to Juba as the Government of Southern Sudan is established in the city. Non-governmental organizations still based in Nairobi are being urged to move their base of operations to southern Sudan. These efforts, together with increased support and capacity-

building programmes for the caretaker Government of Southern Sudan and the Sudan Relief and Recovery Commission, and United Nations-facilitated collaboration between the humanitarian units of the caretaker Governments of the Sudan and Southern Sudan, have resulted in a number of joint assessments and policy meetings. New joint guidelines on the movement of humanitarian personnel throughout the Sudan have contributed to easing humanitarian access to southern Sudan, although security issues continue to hinder the delivery of humanitarian aid.

49. In the eastern Sudan and the three transitional areas of Abyei, Nuba Mountains and southern Blue Nile, the overall situation is calm although localized tensions persist. Access to Hameshkoreb in Kassala State — inaccessible for security reasons since 2000 — is of urgent concern as one case of polio has recently been reported in the area and humanitarian partners have been prevented from undertaking much-needed humanitarian assessments. I urge the parties involved to allow humanitarian actors, in particular the polio vaccination campaigns, unhindered access to the populations in need.

Returns

50. As expected, population returns slowed considerably during the rainy season. The United Nations has taken advantage of the lull to complete plans for assistance to spontaneous returns and to advance its preparations for the coming return season (October 2005-May 2006). In all, 23 way stations will be set up to support spontaneous returns in selected locations along return routes, six of them to be completed before the end of the rains (by 30 September).

51. Plans are also well advanced to support facilitated returns. In addition to the operational mechanisms supporting spontaneous movements, three additional activities are planned for facilitated returns: registration, transport assistance and establishing a categorization system for areas of return. Registration is required to identify those internally displaced persons who wish to return, both to provide them with some assistance in returning and as a protection mechanism. Transport assistance will be provided to those who meet the eligibility criteria from the place of displacement. In most cases this can be provided through a subsidy to be used to take advantage of existing commercial means of transport. The categorization of areas of return, based on criteria developed by UNHCR, is important to identify areas suitable for the United Nations to promote returns, and to ensure a consistent United Nations policy for all returns.

Protection of civilians

52. The protection of civilians remains a concern throughout the Sudan. The United Nations continues to pay particular attention to vulnerable groups, with a special focus on displaced and returning populations. At the same time, the United Nations, pursuant to paragraph 4 (d) of resolution 1590 (2005), will increase its cooperation with the authorities and with national and international agencies and non-governmental organizations to ensure that all types of action to address protection problems receive adequate attention and are interlinked. Such actions include interventions on the ground and humanitarian programmes of both a preventive and a remedial nature, as well as monitoring and reporting, and capacity-building with the relevant authorities.

53. UNMIS has made progress in enhancing its civilian monitoring and protection activities in accordance with paragraph 17 of resolution 1590 (2005). In coordination with the Protection Working Group in Darfur, the human rights and civil affairs sections have undertaken joint missions with AMIS, the Office for the Coordination of Humanitarian Affairs, IOM and other humanitarian actors to villages and towns across Darfur to promote protection of civilians in their own villages. During the missions, civilians were made aware of their rights, and were advised on how to approach humanitarian organizations for support and help on how to follow up their cases with the local authorities. The teams also held discussions with local religious and tribal leaders to enlist their support for the protection of civilians, and raised with local authorities issues related to extortion and protection money paid by civilians to armed militia.

54. Demographic mobility has increased since the conclusion of the Comprehensive Peace Agreement. Displaced populations are more vulnerable to pressures to return. Of particular concern is the practice of induced or forced relocations of displaced populations in camps in Darfur as well as those around Khartoum. Additional efforts must be made to guarantee that internally displaced persons decide freely, on the basis of good information, and under conditions of dignity and safety, if and when to return to their home areas.

55. Contrary to previous commitments made by the Governor of Khartoum State, there have been new forced relocations of internally displaced persons and squatters in settlements around Khartoum. Thousands of people have been forcibly moved to sites in desert areas tens of kilometres outside Khartoum where there are no, or wholly insufficient, life-sustaining services. These relocations, and the violence accompanying them, increase tensions in the greater Khartoum area, violate the right of the displaced to return voluntarily, and in dignity and safety, and also have the potential to undermine the transition towards peace and stability in the whole country. I urge the Government to cease all forced locations, and I urge the parties to unite in their efforts to address both the security and the protection dimensions of this potentially destabilizing problem.

56. Even when spontaneous returns are undertaken on a voluntary basis, the perils en route cannot be underestimated. There are still many insecure areas where returnees suffer from looting and extortion by militia forces. Material conditions are also precarious — particularly in the three conflict areas — exposing returnee families to the risk of separation, and returnee children and mothers to the risks of exploitation and abuses en route. The United Nations has established an inter-agency framework on the protection of returnees to set clear protection standards and provide training and guidance to field staff that will support returnees on their way home. Careful monitoring will also be necessary in the areas of return to ensure that those who have chosen to return spontaneously will not be discriminated against and will receive equal and adequate access to resources.

Human rights

57. Further to paragraph 4 (a) (ix) of resolution 1590 (2005), UNMIS continued to carry out human rights promotion and monitoring activities. In Darfur, human rights officers conducted systematic monitoring of the human rights situation, including monitoring of camps of internally displaced persons, returnees, and the work of the national special court on the events in Darfur. UNMIS has also been assessing the

human rights situation in Khartoum in the context of the forced relocation of internally displaced persons as well as allegations of human rights violations during the violence following Mr. Garang's death.

58. In cooperation with the Office of the United Nations High Commissioner for Human Rights, UNMIS initiated a technical cooperation programme to support the implementation of the human rights elements of the Comprehensive Peace Agreement. The programme will include the following: support for the establishment of the independent National Human Rights Commission; human rights training and capacity- and institution-building; and human rights advisory services for civil society, the Government, the legal profession and the judiciary throughout the country. The programme will be developed in consultation with all relevant partners in the coming months. UNMIS is holding a set of round-table discussions for civil society in Khartoum and Juba on the human rights provisions of the Comprehensive Peace Agreement.

59. UNMIS is proceeding with the deployment of additional human rights officers in Darfur, in the three conflict areas, and in southern Sudan. There are currently 49 international human rights officers, including 17 international United Nations Volunteers, deployed in Darfur working in teams on monitoring and protection issues. There are also three human rights officers in Juba, Kadugli and Abyei. Additional deployments continue. In the meantime, Khartoum-based human rights officers have also conducted a number of missions to the south, the three transitional areas, and the east.

60. UNMIS will also support the newly appointed Special Rapporteur on the situation of human rights in the Sudan, whose mandate was established by the Commission on Human Rights in its resolution 2005/82 of 21 April 2005.

Rule of law

61. Implementation of the Comprehensive Peace Agreement in the rule of law sector is progressing since the adoption of the Interim National Constitution on 9 July. The national judiciary has endorsed a major capacity-building programme which aims to promote the independence of the judiciary and will be implemented by UNDP and the International Development Law Organization. UNDP has been working closely with the Ministry of Justice and is commencing capacity-building in the Legal Aid Department of the Ministry of Justice.

62. Agreement between the donor group led jointly by UNDP and the United Kingdom Department for International Development and the Joint National Transition Team has also been reached on the establishment of a set of commission preparation teams. The final establishment of the teams is expected once the Government of National Unity has been established.

63. In southern Sudan, initial capacity-building of basic rule of law institutions has commenced according to paragraph 4 (a) (vii) and (viii) of resolution 1590 (2005), in which the Council inter alia requested UNMIS to assist the parties to develop and consolidate a national legal framework. The legal and judiciary branches of the SPLM interim authority have endorsed a major UNDP capacity-building project, which aims to provide the basic operational structures and policy framework for the rule of law institutions.

64. The UNMIS rule of law unit now has an Officer-in-Charge and the recruitment of core unit posts is proceeding. UNDP international rule of law programme officers are present in the south, Darfur, and the three conflict areas, and are being deployed to the east. These officers have initiated State- and local-level programmes to raise awareness of international and domestic law, build capacity in local courts and prisons, and among law enforcement and legal professionals and community representatives. In Darfur, UNDP has established legal aid centres in all three States while the UNDP/International Rescue Committee rule of law awareness-raising programme has reached over 5,000 legal and law enforcement professionals.

Mine action

65. Although demining activities were severely hampered by the rainy season, humanitarian mine action was carried out in the Nuba Mountains, Rumbek, Yei, Kapoeta and El Fasher. Immediate expansion of survey, clearance and mine risk education capacities is vital to allow the local population to resume their economic activities, to facilitate the sustainable return of internally displaced persons and refugees and to enable humanitarian aid agencies to operate without the threat of mines and explosive remnants of war.

66. United Nations mine action also focused on the verification and clearance of the Juba-Yei corridor to resume the vital supply of food into Juba by road. The initial plan to open this essential corridor by 9 July was delayed until the end of September because of technical complications, weather conditions and lack of information from the military forces of the two parties. To ensure timely and successful progress in mine action, I call on both parties to provide all necessary minefield information to the United Nations and to facilitate cross-line demining, in accordance with the Comprehensive Peace Agreement.

67. The United Nations Mine Action Office will ensure that all mine action activities in the Sudan are carried out to international mine action standards, corresponding to the humanitarian demining assistance stipulated in paragraph 4 (c) of resolution 1590 (2005). Troop-contributing countries have been requested to ensure that their demining contingents comply with these standards. In addition to general coordination between the UNMIS military component, United Nations agencies and national and local authorities, the United Nations Mine Action Office, in cooperation with UNDP, facilitated dialogue between the two national mine action authorities to ensure continuation of the integrated and unified mine action programme in the Sudan and long-term capacity-building.

Gender

68. UNMIS has taken a number of measures with respect to paragraphs 14 and 15 of resolution 1590 (2005) and resolution 1325 (2000) on women, peace and security. The Mission has distributed several thousand copies of resolution 1325 (2000) and initiated training programmes on gender and gender-based violence for UNMIS staff in the field and representatives from the Sudanese Ministries of Defence, Education and Health, United Nations agencies and community leaders of the internally displaced. UNMIS has provided induction training to 450 United Nations civilian, police and military personnel on gender concepts.

69. UNMIS is taking steps to expand partnerships with governmental and non-governmental organizations in the Sudan to promote gender mainstreaming in all

aspects of the transitional process and, in this regard, is planning a workshop on engendering the peace process after the Comprehensive Peace Agreement and the special needs of women in the disarmament, demobilization and reintegration process, as outlined in paragraph 4 (a) (iv) of resolution 1590 (2005). In the area of women and peace, UNMIS has initiated discussions with several academic institutions, peace centres, non-governmental organizations, and United Nations agencies on the implementation of resolution 1325 (2000). In Darfur, UNMIS plans to train a first group of 50 young women as agents of peace in collaboration with the Peace, Development, and Human Rights Centre of El Fasher University.

HIV/AIDS

70. The UNMIS HIV/AIDS Unit continued an induction programme for all UNMIS personnel and, in close collaboration with UNAIDS, launched its peer education programme in Kassala, eastern Sudan, to support positive behaviour change and create a sustainable awareness capacity within peacekeeping contingents. The programme trained 29 peer educators, the majority drawn from the Nepalese contingent (the first complete contingent to deploy to UNMIS), and also included participants from the United Nations country team, internally displaced persons, non-governmental organizations and officials from the Ministries of Defence, Health and Education. A regional HIV/AIDS committee was formed in Kassala for collaboration, synergy and to monitor and evaluate plans of action among stakeholders in the region.

71. In collaboration with UNFPA, a second peer education programme for 33 trainees was held in Darfur, specifically to support national HIV/AIDS initiatives. Participants included AMIS, the Sudanese Council of Churches, officials from key Ministries — demonstrating high-level political commitment to the HIV/AIDS awareness campaign — non-governmental organizations, and United Nations partners. A joint UNFPA/UNICEF/AMIS regional HIV/AIDS committee was formed in Darfur to oversee, monitor and evaluate the implementation of plans of action. The success of peer education as both a cost-effective and personalized approach has been demonstrated in other missions, and UNMIS is building on such UNAIDS-identified best practices.

Conduct and discipline unit

72. An assessment of code of conduct risk factors has been prepared with a plan of action for the UNMIS conduct and discipline unit. Recruitment for the unit is under way. It will be established under the office of the Chief of Staff and will function in accordance with standard Department of Peacekeeping Operations guidance and local risk factors.

Millennium Development Goals

73. On 4 September, the caretaker Government of the Sudan and UNDP released the interim Sudan progress report for 2004 on the Millennium Development Goals. The interim document will be updated when more reliable statistics and data are available for the country as a whole.

Support from donors

74. The workplan for the Sudan 2005 was revised in June and now amounts to total requirements of US$ 1.96 billion. With less than four months remaining, the workplan is currently funded at only 47.5 per cent. Assistance programmes in Darfur have received 60 per cent funding, in southern Sudan 42 per cent, and in eastern Sudan and the transitional areas 22 per cent. While there are shortfalls in all sectors, the following have received less than 20 per cent of the required funding: rule of law and governance (4 per cent); cross-sector support to return and reintegration (10 per cent); protection (14 per cent); shelter and non-food items (16 per cent); and education (17 per cent). With the rainy season coming to an end, hundreds of thousands of refugees and internally displaced persons are expected to return in the weeks and months ahead — to some of the most impoverished areas in Africa. They and their host communities need urgent assistance, as do the millions of Sudanese who remain displaced. Billions were pledged more than six months ago at the Oslo donor conference, and the four largest donors — the United States, the United Kingdom, the European Community and the Netherlands — still account for close to 80 per cent of funding received to date. I again urge all donors to convert pledges already made without further delay, and to commit additional resources needed to meet the outstanding requirements for 2005.

Civilian staffing

75. As at 4 September 2005, the Mission had on board 471 international staff, 67 of whom are on temporary duty, 677 national staff and 53 United Nations Volunteers. The Mission also has under recruitment 75 international staff, 81 national staff and 25 United Nations Volunteers. Efforts to recruit national staff for posts located in southern Sudan have been difficult. Owing to the protracted civil war, a dearth of economic development, and the absence of vocational schooling in southern Sudan, there is a critical shortage of skilled labour, especially in the construction, building, automotive and communications trades. Moreover, the return of southerners from other parts of the Sudan will be slow and attempts to attract members of the Sudanese diaspora have not met with success. In order to address this problem the Mission is pursuing a two-pronged approach. It is temporarily filling the gaps in its occupational groups with additional international staff on short-term assignments while it simultaneously attempts to implement a vocational training programme designed to develop a pool of suitable apprentices from among the ex-combatants.

Financial aspects

76. The General Assembly, by resolution 59/292 of 21 April 2005, authorized a total amount not exceeding $595.5 million for the initial establishment of UNMIS, comprising, for the period from 1 July 2004 to 30 June 2005, the amount of $279.5 million, inclusive of the amount of $100 million authorized by the Advisory Committee on Administrative and Budgetary Questions, and, for the period from 1 July to 31 October 2005, the amount of $316 million. Pursuant to Security Council resolution 1590 (2005), a budget that combines two consecutive financial periods — from 1 July 2004 to 30 June 2005 and from 1 July 2005 to 30 June 2006 — has been prepared and submitted to the Assembly for its consideration during its sixtieth session. The budget is inclusive of the amount of $222 million for the period from

1 July 2004 to 30 June 2005 and $1,017.6 million for the period from 1 July 2005 to 30 June 2006.

77. As at 31 August 2005, unpaid assessed contributions to the special account for UNMIS amounted to $156.5 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,196 million.

IV. Observations

78. While there have been some delays in the implementation schedule of the Comprehensive Peace Agreement, much has been achieved since it was signed on 9 January and the subsequent establishment of UNMIS, pursuant to resolution 1590 (2005). Despite the complications and challenges described in this report, the implementation of the Comprehensive Peace Agreement, and the Mission's mandated support to the parties, are largely on track. So far, the process has been moving slowly but steadily forward.

79. The death of First Vice-President Garang dealt a cruel blow to all the people of the Sudan, in particular the southern Sudanese people. I deeply regret his death, as well as the deaths of those accompanying him on the helicopter. I also regret and deplore the loss of life that occurred during the riots in the ensuing days. However, it was gratifying that the parties' reaction to the loss of Mr. Garang revealed a remarkable capacity to recover from such a setback and a determination to stay the course of the peace process. I was particularly struck by the manner in which SPLM leaders showed both poise and statesmanship in their hour of grief. The words and actions of both President Bashir and the new SPLM Chairman, Salva Kiir, in the days after the death of Mr. Garang proved that the peace process is strong and can survive the passing of one of its key architects.

80. Delays in the deployment of UNMIS are due to a combination of daunting administrative and logistical problems, both on the ground in the Sudan and for the troop-contributing countries as they make preparations to deploy. I appeal to those countries that have offered military personnel and equipment to the Sudan to do all they can to ensure timely deployment. The lack of a status-of-forces agreement is another issue negatively affecting deployment, and I wish to reiterate the urgent need for this important document to be signed quickly, as requested in resolution 1590 (2005).

81. With regard to the future of the peace process, as noted earlier in this report, there have been both positive momentum and some concerns over the reporting period. While much progress has been made towards the creation of institutions in accordance with the Comprehensive Peace Agreement, the formation of the Government of National Unity has encountered some problems. It is essential that Government positions be swiftly agreed upon and that the remaining commissions and other bodies anticipated under the Comprehensive Peace Agreement be established as soon as possible so as to allow the parties to focus on the priorities they have set for the interim period.

82. The Comprehensive Peace Agreement anticipated two key transitional institutions that offer the best opportunity for the international community to provide its full support to the peace process. One of these critical institutions, namely the Ceasefire Political Commission, has now been established. The

Assessment and Evaluation Commission, however, has yet to be created. These institutions would provide the international community the best opportunity to assist the parties and help to overcome implementation gaps before they threaten the process as a whole.

83. It is heartening that the ceasefire is holding and that the parties are moving ahead with those activities mandated in the Comprehensive Peace Agreement involving their military forces and "other armed groups". I call on the parties to submit to the Ceasefire Joint Military Committee detailed lists of the size and location of all their forces, and to ensure that timely notification of troop dispositions and redeployments is submitted through the appropriate mechanisms. Separately, the parties must now commit liaison officers to the area joint military committees as an urgent priority, so that the Mission's monitoring activities can move forward. Equally important, the formation of joint integrated units must begin in earnest, a process that can progress only after the Joint Defence Board is in place.

84. The recent violence in Khartoum and Juba undoubtedly strained intercommunal relations in those two cities. The mainly southern internally displaced persons living in squatter areas and camps around Khartoum are still subject to forced relocations by the authorities, who often conduct violent search operations. This uneasy situation threatens the peace. All relocations must take place in accordance with international humanitarian standards. Community, civic and religious leaders also have an important role to play in this regard and, in a broader context, I urge them to facilitate and engage in a process of reconciliation.

85. The situation in Abyei remains unsettled following the Abyei Boundaries Commission's report. There are indications that the parties disagree on the scope of the mandate of the Commission and its conclusions and recommendations. While the communities directly affected by the report's conclusion have done their best to contain a difficult situation, national politics seem to have intruded and contributed to a hardening of positions as well as heightened tension. UNMIS remains in contact with the parties involved, and is taking steps to defuse the situation. I urge the new collective Presidency to take the necessary decisions to help bring stability and peace to the area.

86. In the east, the Government and the Eastern Front should be credited for their willingness to engage in direct talks with each other. However, it is taking them longer to begin face-to-face talks and UNMIS is consulting with the two parties to help expedite the process. As this report was being finalized, the Eastern Front agreed in principle to grant access for the United Nations to undertake a security and humanitarian needs assessment in the area of Hameshkoreb. To that end, the Front has agreed to discuss with UNMIS the specific details of the assessment and access. Since the humanitarian situation in that area is deteriorating day by day, it is imperative that the Eastern Front follow through and allow the United Nations to conduct a humanitarian assessment of the area.

87. In Darfur, as I mentioned in my report of 11 August 2005 (S/2005/523), the security situation has improved somewhat, as has humanitarian access. However, continuing threats to humanitarian operations, violence against civilians, violations of human rights and little progress at the political level demand action by the parties and the international community. I appeal to all parties and partners involved in the talks in Abuja and on the ground in Darfur to work to radically improve the

prevailing conditions. This includes continued and unequivocal support to the African Union Mission in the Sudan.

88. SPLM/A is facing tremendous challenges in establishing the Government of Southern Sudan. UNMIS has responded to requests for logistic and material assistance to the maximum extent possible within existing capacities. However, the Mission will find it increasingly difficult to continue rendering assistance without compromising the support needs of other logistically demanding, mandated tasks. I call on the international community to acknowledge the scale of the immense challenge faced by the Government of Southern Sudan and to provide support commensurate with the importance of its emerging institutions, which are essential to the consolidation of peace in the Sudan.

89. The role of international partners and donors will remain critical for peace implementation throughout the long interim period. That role will never be more important than at the present time, given the challenges faced by the embryonic administration in southern Sudan, as well as the wider need to address key areas of countrywide security sector reform; disarmament, demobilization and reintegration of combatants; and assistance to the huge number of returnees who have started their difficult journeys home. The need for donor coordination is crucial, as will be the need for some countries to come forward and take the lead on some of these critically important issues.

90. In my previous reports on the Sudan I consistently voiced the daunting challenges involved in implementing the Comprehensive Peace Agreement. As UNMIS completes its first six months, these challenges are proving to be every bit as difficult as expected. I would like to thank my Special Representative for his tireless efforts, as well as all United Nations staff involved in working to help bring peace to all quarters of the Sudan. I would like to recommend that the Security Council renew the mandate of UNMIS for 12 months, until 24 September 2006.

Annex

United Nations Mission in the Sudan: military and civilian police strength

as at 5 September 2005

	Military component								*Civilian police component*	
	Observers		*Troops*		*Staff officers*		*Total*			
Country	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*M*
Argentina										
Australia		6			1	2	1	8		
Austria						5	0	5		
Bangladesh		13		672		20	0	705	2	
Benin		4					0	4		
Brazil		7					0	7		
Cambodia		4					0	4		
Canada						10	0	10		
China						7	0	7		
Croatia						3	0	3		
Denmark			3	28		10	3	38		
Egypt		2		160		11	0	173		
El Salvador		5					0	5		
Fiji		2					0	2		
Finland						3	0	3		
Ghana									2	
Germany		2		3		2	0	7		
Greece						2	0	2		
Guatemala		6					0	6		
India		5		571		14	0	590	1	
Indonesia		4					0	4		
Italy				213		2	0	215		
Jamaica										
Jordan		3				4	0	7		
Kenya						3	0	3		
Kyrgyzstan		5					0	5		
Malawi		6					0	6		
Malaysia						3	0	3		
Mongolia		2					0	2		
Mozambique		1					0	1		
Namibia		2					0	2		
Nepal				223		5	0	228	1	

Country	Military component								Civilian police component	
	Observers		Troops		Staff officers		Total			
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Nigeria		10					0	10		2
Norway	1	5	1	8		7	2	20		2
Pakistan		8		129		10	0	147		
Paraguay		6					0	6		
Peru		8					0	8		
Philippines							0	0		6
Poland						2	0	2		
Republic of Moldova		1					0	1		
Romania						4	0	4		
Russian Federation		5					0	5		7
Rwanda		6					0	6		
Sri Lanka							0	0		6
Spain						3	0	3		
Sweden						7	0	7		3
Switzerland						1	0	1		
Turkey						3	0	3		4
Uganda		4					0	4		1
United Republic of Tanzania							0	0		1
United Kingdom						3	0	3		1
United States of America									1	
Zambia		8				3	0	11		
Zimbabwe		4				3	0	7	2	6
Total per gender	**1**	**144**	**4**	**2 007**	**1**	**152**	**6**	**2 303**	**9**	**77**
Total	**145**		**2 011**		**153**		**2 309**		**86**	

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United Nations S/2005/580

Security Council

Distr.: General
14 September 200.

Original: English

Letter dated 9 September 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

I have the honour to forward herewith, in my capacity as the representative of the Current Chairman of the African Union, the communiqué adopted at the 37th meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 8 September 2005, concerning the situation in Burundi (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Aminu Bashir **Wali**
Ambassador
Permanent Representative of the Federal
Republic of Nigeria to the United Nations

05-51022 (E) 150905

Annex to the letter dated 9 September 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 37th meeting of the Peace and Security Council

The Peace and Security Council (PSC) of the African Union (AU), at its 37th meeting, held on 8 September 2005, adopted the following decision on the situation in Burundi:

The Council,

1. **Welcomes** the conclusion of the transitional period in Burundi, the successful conduct of the electoral process and the peaceful transfer of power to democratically elected institutions, which constitute a landmark in the efforts to promote lasting peace and reconciliation in Burundi;

2. **Further welcomes** the election of Mr. Pierre Nkurunziza as President of the Republic of Burundi and the establishment of new institutions, based on the principles defined beforehand by the Burundian Constitution. In this respect, the Council **commends** the Burundian parties for their achievement with regard to gender representation;

3. **Congratulates** the people of Burundi and all stakeholders in the country for their determination and patience, which made it possible to achieve considerable progress in the promotion of peace, stability and reconciliation in Burundi;

4. **Further congratulates** the members of the Regional Peace Initiative for Burundi, the Facilitation of the Burundi Peace Process, the United Nations and all other bilateral and multilateral partners of Burundi for the critical role they played in the peace efforts in Burundi;

5. **Congratulates** the African Mission in Burundi (AMIB), deployed from April 2003 to June 2004, the Protection Force for political leaders, which operates under an AU mandate, and the United Nations Operation in Burundi (ONUB), for their support and important contribution to the implementation of the Arusha Peace and Reconciliation Agreement and subsequent agreements reached by the Burundian parties;

6. **Encourages** the Government of Burundi and all other stakeholders to work resolutely towards the consolidation of the progress made and the conclusion of the peace process, including the security sector reform and the training of the new security forces, the enhancement of national reconciliation and the recovery and reconstruction of the country;

7. **Urges** that renewed efforts be made for the conclusion of a ceasefire agreement with the PALIPEHUTU/FNL. In this respect, the Council **appeals urgently** to the PALIPEHUTU/FNL to join the peace process without delay;

8. **Stresses the need** for sustained support by the international community in order to consolidate the achievements made in Burundi. In this respect, the Council **appeals** to all the partners of Burundi to provide the requisite assistance, in particular financial and socio-economic, for the post-conflict reconstruction and development of Burundi.

United Nations S/2005/581

Security Council

Distr.: General
14 September 2005

Original: English

Letter dated 9 September 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

I have the honour to forward herewith, in my capacity as the representative of the Current Chairman of the African Union, the communiqué adopted at the 37th meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 8 September, 2005, concerning the situation in Mauritania (see annex).

I should be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(*Signed*) Aminu Bashir **Wali**
Ambassador
Permanent Representative of the Federal
Republic of Nigeria to the United Nations

05-51028 (E) 160905

Annex to the letter dated 9 September 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 37th meeting of the Peace and Security Council

The Peace and Security Council (PSC) of the African Union (AU), at its 37th meeting, held on 8 September 2005, adopted the following decision on the situation in the Islamic Republic of Mauritania:

The Council,

1. **Takes note** of the report of the Chairperson of the Commission on the situation in the Islamic Republic of Mauritania, including the results of the visit of the AU Ministerial delegation to Nouakchott on 9 August 2005 [PSC/PR/2(XXXVII)];

2. **Recalls** Declaration PSC/PR/Decl.(XXXVI)-(ii) on the situation in Mauritania, adopted at its 36th session, on 4 August 2005;

3. **Takes note** of the developments in Mauritania since the coup d'état of 3 August and the commitments made by the new Mauritanian authorities towards the swift restoration of constitutional order by a process which will culminate in the holding of free, fair and transparent elections. The Council **takes note** of:

- The adoption of decrees instituting an inter-ministerial Committee for justice, an inter-ministerial Committee for the democratic transition process charged with proposing the measures and provisions intended to guarantee the smooth holding of scheduled elections, in consultation with political parties and civil society, and of an inter-ministerial Committee for good governance
- The adoption of a Constitutional Ordinance relating to the ineligibility of the President and members of the CMJD, of the Prime Minister and members of Government for presidential and legislative elections scheduled within the framework of the democratic transition process
- The commitment not to co-opt or favour any political party, or create any party or organization
- The request addressed to the United Nations on 26 August 2005 for electoral assistance towards organizing a constitutional referendum in July 2006, at the latest, to be followed by presidential and legislative elections before 3 August 2007
- The announcement, on 5 September 2005, of a general amnesty for all Mauritanians being prosecuted, indicted or sentenced for political crimes and offences;

4. **Encourages** the Mauritanian authorities and other stakeholders to continue to work together for the swift return to constitutional order, to pursue and to enhance dialogue and consultation between all the stakeholders and to consolidate democracy and the rule of law, within the context of the unity and sovereignty of Mauritania;

5. **Requests** the Chairperson of the Commission, in liaison with the Chair of the AU and the Chair of the PSC, to take all necessary support measures in order to facilitate the swift return to constitutional order, within the shortest possible time, taking into account the commitments made by the new authorities, and to contribute to the consolidation of democracy and the rule of law, in accordance with the AU Constitutive Act, the Algiers Decision and the Lomé Declaration on Unconstitutional Changes of Government;

6. **Calls** on the international community, in its entirety, to continue to support the efforts of the African Union and to provide all necessary assistance to support the return to constitutional order in Mauritania;

7. **Decides** to remain seized of the matter.